UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

BILLY BRANTLEY, et al.

CASE NO. 1:01cv378

Plaintiffs

Judge Barrett

VS.

Defendant

CINERGY CORPORTATION PLAINTIFF'S NOTICE OF

> WITHDRAWAL AND **SUBSTITUTION OF**

COUNSEL

Now come Plaintiffs and give notice that David D. Kammer withdraws his appearance as counsel for Plaintiffs and that Paul H. Tobias of Tobias, Kraus & Torchia, shall be substituted for David D. Kammer and remain in the case as the sole local counsel for Plaintiffs.

Respectfully submitted,

s/ Paul H. Tobias s/ David D. Kammer Paul H. Tobias—0032415 **David D. Kammer--0061808** Tobias, Kraus & Torchia 414 Walnut Street Suite 911 Cincinnati, Ohio 45202 (513) 241-8137 (513) 241-7863 (fax) tkt@tktlaw.com **Local Counsel for Plaintiffs**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was file electronically with the Court via the CM/ECF system which will send notification of such filing automatically to:

Gregory V. Mersol, Esq. Baker & Hostetler 1900 E. 9th St., Suite 3200 Cleveland, OH 44114

Jill T. O'Shea, Esq. 139 E. 4th St. P.O. Box 960 Cincinnati, OH 45201

Robert F. Childs, Esq. Susan G. Donahue, Esq. Barry V. Frederick, Esq. Herman N. Johnson, Esq. Wiggins Childs Quin & Pantazis 301 19th St. North Birmington, AL 35203

David W. Sanford, Esq. Sanford Wittles & Heisler LLP 1666 Connecticut Ave., NW Suite 310 Washington, D.C. 20009

Grant E. Morris, Esq. 2121 K Street, NW, Suite 700 Washington, DC 20037

William P. Whalen, Jr. 810 Sycamore Cincinnati, OH 45202

this 23rd day of July, 2007.

s/ Paul H. Tobias Paul H. Tobias--0032415